



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

Kaca -
file w/ plantsite
corps permit

APR 24 2008

Regulatory Division (1145b)

SUBJECT: File Number 400258N

Mr. Larry Wycoff
California Department of Fish and Game
7329 Silverado Trail
Napa, California 94558

Fish & Game
APR 25 2008
Yountville

Dear Mr. Wycoff:

This letter is to provide confirmation of the extent of Corps of Engineers jurisdiction at the Napa Plant Site Project located at 2983 Green Island Road, American Canyon, Napa County, California.

Enclosed is a map showing the extent and location of Corps of Engineers jurisdiction. We have based this jurisdictional delineation on the current conditions on the site. A change in those conditions may also change the extent of our jurisdiction. This jurisdictional delineation will expire in five years from the date of this letter. However, if there has been a change in circumstances that affects the extent of Corps jurisdiction, a revision may be completed before that date.

All proposed work and/or structures extending bayward or seaward of the line on shore reached by: (1) mean high water (MHW) in tidal waters, or (2) ordinary high water in non-tidal waters designated as navigable waters of the United States, must be authorized by the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403). Additionally, all work and structures proposed in unfilled portions of the interior of diked areas below former MHW must also be authorized under Section 10 of the same statute.

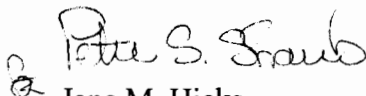
All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; March 28, 2000), and outlined in the enclosed flowchart and "Notification of Administrative Appeal Options, Process, and Request for Appeal" form (NAO-RFA). If you do not intend to accept the approved jurisdictional

determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

Should you have any questions regarding this matter, please call David Wickens of our Regulatory Division at (415)503-6787. Please address all correspondence to the Regulatory Division and refer to the File Number at the head of this letter. If you would like to provide comments on our permit review process, please complete the Customer Survey Form available online at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

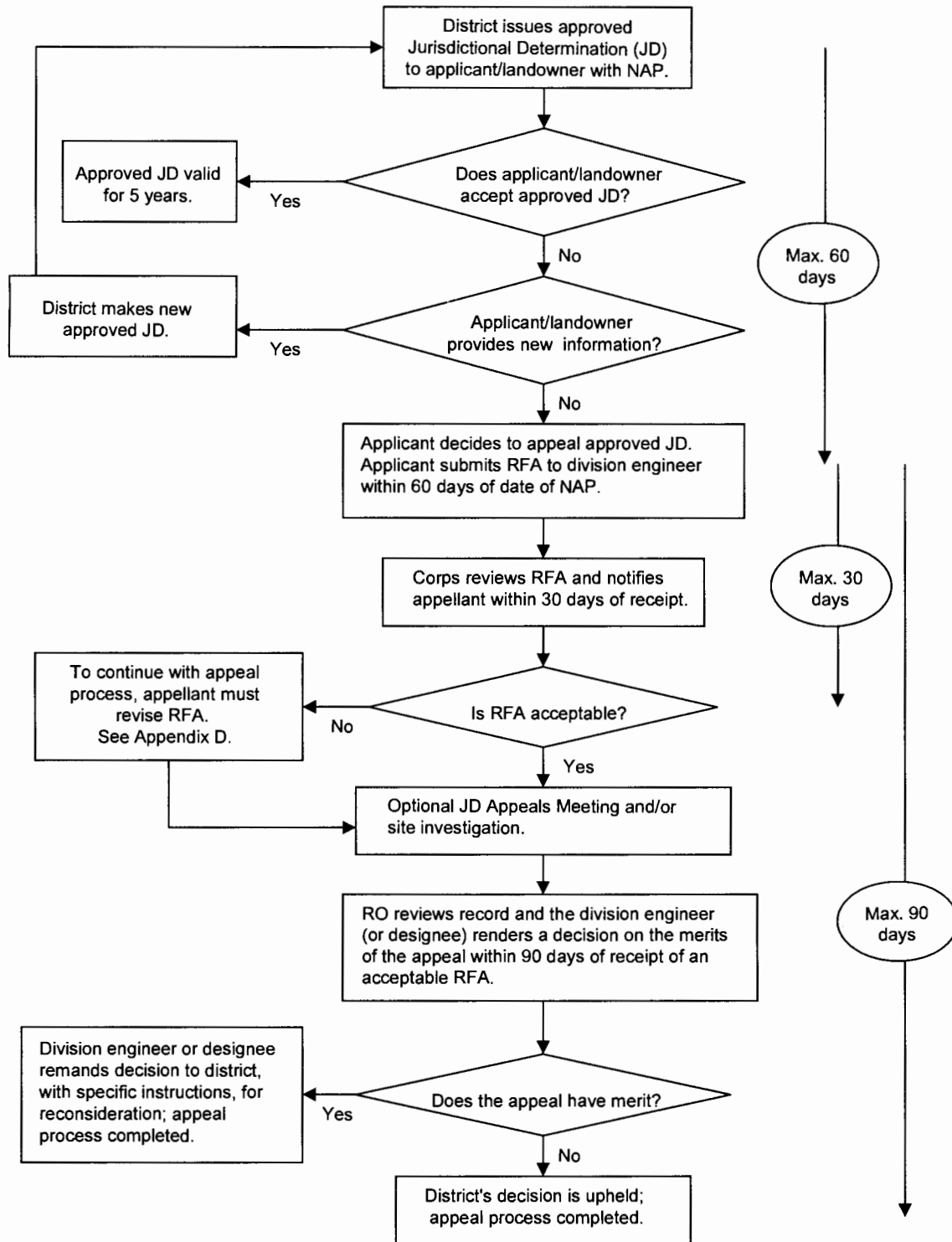

Jane M. Hicks
Chief, Regulatory Division

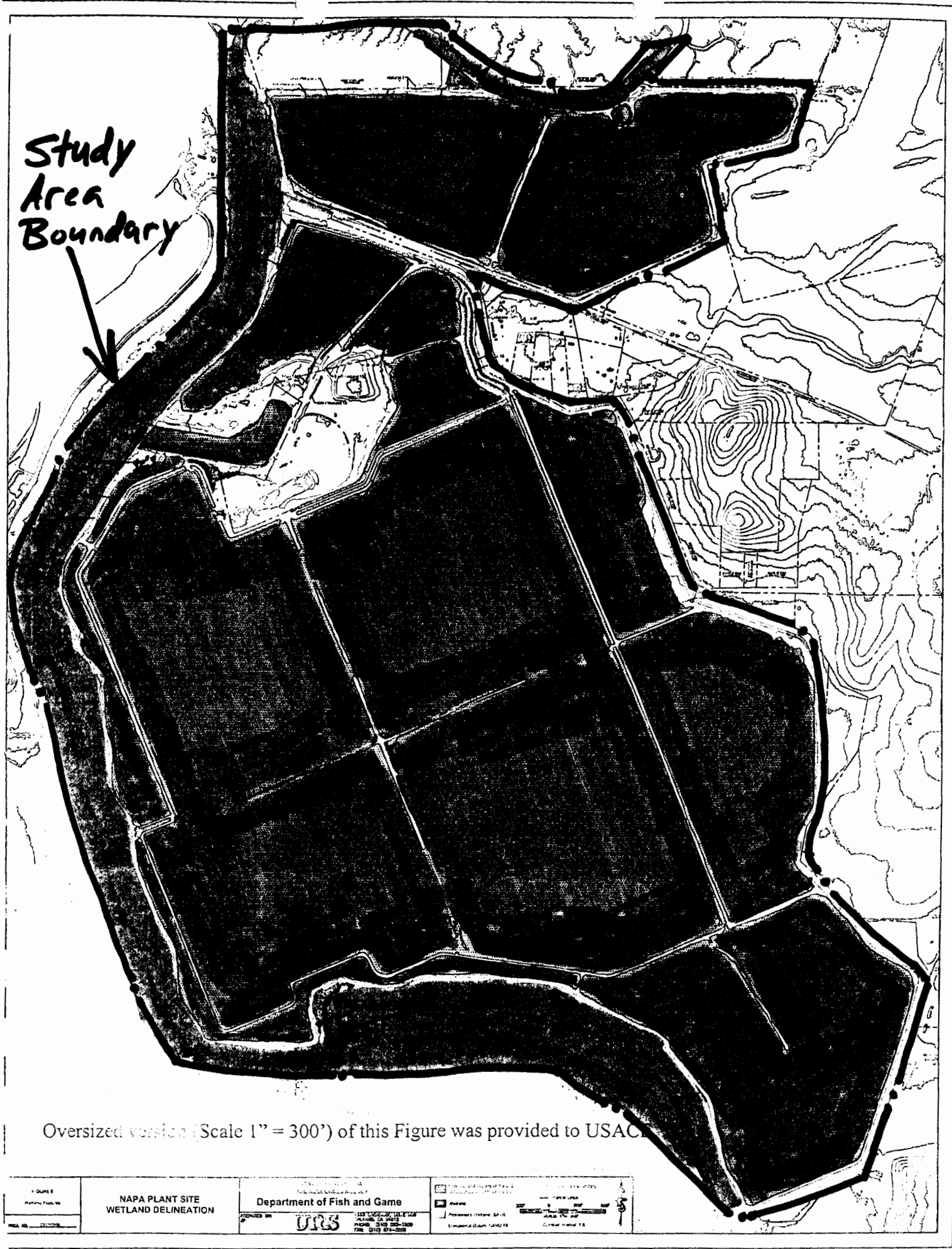
Enclosures

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CA RWQCB, Oakland, CA


Administrative Appeal Process for Approved Jurisdictional Determinations






Oversized version (Scale 1" = 300') of this Figure was provided to USAC

FIGURE 2 WETLAND DELINEATION	NAPA PLANT SITE WETLAND DELINEATION	Department of Fish and Game APPROVED BY: URS DATE: 04/17/08 PROJECT NO. 400258N	Scale: 1" = 300' North Arrow Legend: Wetland, Wetland, Wetland Scale: 1" = 300' North Arrow Legend: Wetland, Wetland, Wetland
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**US Army Corps
of Engineers**

**U.S. Army Corps of Engineers Jurisdictional
Determination for the Napa Plant Site Restoration
Project, located at 2983 Green Island Road, American
Canyon, Napa County, California**



Mean High Water and High Tide line, work and/or
discharge of fill material is subject to Section 10 of
the Rivers and Harbors Act of 1899, and/or Section
404 of the Clean Water Act Jurisdiction

Boundary. File No. 400258N Date: April 17, 2008